

AMENDED IN ASSEMBLY APRIL 19, 2010

AMENDED IN ASSEMBLY MARCH 18, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 2033

Introduced by Assembly Member Torres
(Coauthor: Assembly Member Gilmore)

February 17, 2010

An act to add Section 50505.5 to the Health and Safety Code, relating to homelessness.

LEGISLATIVE COUNSEL'S DIGEST

AB 2033, as amended, Torres. Homelessness: federal funding.

Under existing law, the federal McKinney-Vento Homeless Assistance Act, the United States Department of Housing and Urban Development administers various programs relating to homelessness, including the continuum of care program, which is a competitive award program created to address the problems of homelessness in a comprehensive manner. The program authorizes a state to apply for program funding as a balance of state continuum of care that covers geographic areas of the state not included within a community level continuum of care.

This bill would require the Department of Housing and Community Development to apply for ~~McKinney-vento~~ *McKinney-Vento* Homeless Assistance Act funding by establishing a balance of state continuum of care program, as described, on or before September 1, 2011. The bill would also require, in the event that the department fails to apply for the federal funding, that the department report the reasons that it failed to apply for the funding prior to September 30, 2011. The bill would make this reporting requirement inoperative on September 30, 2015.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
2 following:
3 (a) California has the largest homeless population of any state
4 in the country.
5 (b) Over 380,000 people in California are homeless for some
6 period of time during the course of each year.
7 (c) Seventy percent of homeless people in California live
8 unsheltered, which is the largest percentage in the nation.
9 (d) In 1994, the United States Department of Housing and Urban
10 Development (HUD) introduced the continuum of care planning
11 process, a competitive program designed to encourage communities
12 to address the problems of housing and homelessness in a more
13 coordinated and strategic fashion.
14 (e) The comprehensive continuum of care approach encourages
15 communities to identify and prioritize gaps in housing and services
16 available for people who are homeless. It also enables communities
17 to develop long-term strategies and action plans to address these
18 gaps using McKinney-Vento Homeless Assistance Act (42 U.S.C.
19 Sec. 11301) funds and other federal, state, and local resources.
20 The strategic planning conducted through this program also forms
21 the basis of a state's or community's continuum of care plan and
22 application to HUD for McKinney-Vento Homeless Assistance
23 funds.
24 (f) The fundamental components of a continuum of care program
25 include prevention, outreach, emergency shelter, transitional
26 housing, permanent housing, permanent supportive housing, and
27 supportive services.
28 (g) In order to receive funding through the McKinney-Vento
29 Homeless Assistance Act, a state or community must develop a
30 continuum of care.
31 (h) Forty-four counties in the state participated in a continuum
32 of care that received a funding award in 2009.
33 (i) According to HUD estimates, ~~14~~ 13 counties in the state
34 have unclaimed geography not currently included in a community
35 continuum of care. The unclaimed geography represents ~~\$900,000~~

1 *nine hundred thousand dollars (\$900,000)* in federal funding that
2 the state could access to address homelessness in smaller, rural
3 communities.

4 (j) Most states receive funding from HUD using a balance of
5 state continuum of care for areas that are not included in a local
6 community continuum of care. But this state has not taken the
7 necessary steps to establish a balance of state continuum of care
8 to receive the federal funding for areas in this state not included
9 in a local community continuum of care.

10 (k) It is the Legislature's intent that the state should access all
11 federal funding that is available to address homelessness by
12 submitting an application to receive funding under a balance of
13 state continuum of care.

14 SEC. 2. Section 50505.5 is added to the Health and Safety
15 Code, to read:

16 50505.5. (a) The department shall apply for funding pursuant
17 to the McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec.
18 11301) by establishing a balance of state ~~continuum of care~~
19 continuum of care program on or before September 1, 2011.

20 (b) For purposes of this section, a balance of state continuum
21 of care includes all geographic areas of the state that are not
22 currently receiving McKinney-Vento Homeless Assistance funding
23 through a community continuum of care and geographic areas of
24 the state that do receive federal funds through a community
25 continuum of care that choose to apply for its funding as part of
26 the balance of state continuum of care.

27 (c) (1) If the department fails to apply for McKinney-Vento
28 Homeless Assistance funding pursuant to this section, the
29 department shall report to the Assembly Committee on Housing
30 and Community Development, prior to September 30, 2011, the
31 reasons for its failure to apply for the funding.

32 (2) The requirement for submitting a report pursuant to this
33 subdivision is inoperative on September 30, 2015, pursuant to
34 Section 10231.5 of the Government Code.